

ARCHITECT AND ENGINEERING/CONSTRUCTION

Required Documentation/Action	Yes	No	N/A	Comments
ARCHITECT AND ENGINEERING				
Are adequate data files being maintained on architectural firms? (FAR 36.603(d))				
Are the statements of work for cost-type A-E contracts being written in either a completion or term form? (FAR 16.306)				
Do solicitations for A/E and resultant construction services contain a clause prohibiting award of a construction contract to the designing A/E firm? (FAR 9.5 and 36.209). The award of related A/E services and construction contracts or subcontract's to the same contractor can result in self-inspection of construction work and permit the contractor to render biased decisions. (FAR 9.5)				
is the clause "Design Within Funding Limitations" included in fixed price A-E contracts, or its exclusion documented? (FAR 36.609-1(c))				
Are evaluation boards being appointed for A-E actions? (FAR 36.6)				
Are evaluation board reports being prepared, including the board's recommendations? (FAR 36.61)				
Are at least three firms being recommended to the source selection official? (FAR 36.602-4)				
Are A-E service requirements synopsisized in the CBD with a response time of at least 30 days? (FAR 5.203(c) and 5.205(c))				
Are potential contractors evaluated using the criteria at FAR 36.602-1?				
Are independent Government cost estimates prepared and submitted to the CO prior to price negotiations? Did the estimate remain confidential? (FAR 36.605)				
Are prenegotiation memorandum prepared documenting the Government's negotiation positions? (FAR 15.807)				
For A-E services over \$10,000, are discussions being held with at least the top three ranked A-E firms, and is the file being documented to show the basis for ranking in order of preference? (FAR 36.602-3(c))				

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Are records of negotiation prepared which set forth the principal elements of the negotiation? (FAR 15.808)				
Does the PNM reflect verification that the statutory 6% limitation on design has not been exceeded? (FAR 15.903(d)(1)(ii) & 36.606(a))				
Are subcontracts to outside firms or consultants limited to those specifically agreed upon during negotiations? (FAR 36.606(c), 44.204(d), and 52.244-4)				
Are the amounts of any withholdings under progress payments documented and not more than 10 percent? (FAR 32.111(d)(1) and 52.232-10)				
Are performance evaluation reports being prepared for A-E Services on SF-1421 and filed in the contract and with the company's SF-254 for each contract over \$25,000? (FAR 36.604)				
Are there internal procedures established for reviewing and distributing performance evaluation reports?				
Are signed Releases of Claims obtained from Contractors and filed as required by FAR 52.232-10?				
If a modification to a resultant construction contract was necessary because of an error or deficiency in the design provided by the A/E, were excess costs recovered from the A/E? Has the CO documented the reasons for the decision to recover or not recover the costs from the A/E firm? (FAR 36.608)				
CONSTRUCTION				
Are presolicitations notices for actions of \$100,000 or greater sent to prospective bidders and publicized in the CBD? (FAR 36.302)				
Do presolicitation notices and solicitations provide an estimated price range for projects over \$25,000? (FAR 36.204) 2.				
Are construction acquisitions not exceeding \$3 million being set aside for small businesses or is there a statutory exception (e.g., Small Business Competitiveness Demonstration Program)? (FAR Part 19)				

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If there is a statutory cost limit for the project, is it stated in the solicitation? Did the contract price remain within the limit? (FAR 36.205)				
Are appropriate methods of contracting being selected? (FAR 6.401(a) and 36.103)				
Are specifications and drawings being reviewed by the Contracting Officer to ensure consistency, clarity, and completeness in an attempt to avoid or minimize claims? (FAR 1.602-2(a) and 14.202-6(e))				
Are Individual Acquisition Plans prepared for all construction actions? (FAR 7.105)				
Do Invitations for Bid include sufficient time for bidder response and include the information required by FAR 14.2 and 36.3?				
Are the appropriate forms and standard clauses being used for construction contracts? (FAR 36.7 and 52.236 et seq.)				
<p>Are bid bonds (SF-24), performance bonds (SF-25), and payment bonds (SF-25 A&B) in the file, and only required when authorized by FAR 28.1? (FAR 28.1)</p> <p>NOTE: The Federal Acquisition Streamlining Act of 1994 (FASA), Section 4104 (b) (1) exempts construction contracts under \$100,000 from the Miller Act requirement that construction contractors furnish performance and payment bonds guaranteeing (1) the performance and fulfillment of all contractual obligations, and (3) the laborers, subcontractors, and suppliers will be paid for completed work. This has been implemented in Federal Acquisition Circular (FAC) 90-29.</p>				
If bid bonds were not required in solicitations containing requirements for performance and payment bonds, did the CCO waive the requirement? (FAR 28.101-1)				
When Government property will be furnished, do solicitations contain the appropriate GFP clauses which identify the GFP and the liability therefore. (FAR Part 45)				
Are site visits being arranged, and are all pertinent technical data made available for examination? (FAR 36.210, 36.303(c)(7), and 52.236-3)				

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Is there a record of all offeror representatives inspecting the site and is significant site information distributed to all offerors in the same manner? (FAR 36.210)				
When a pre-bid/proposal conference is held, is it documented in accordance with FAR 14.207 and 15.409?				
Are area or project wage determinations obtained from DOL and incorporated into solicitations for projects over \$2,000 (SF-308), or are published general wage determinations included? (FAR 36.303(c)(1))				
For actions in excess of \$1 million, do solicitations state what percentage of work (except for plumbing, heating, electrical) must be performed by the prime? Note: The percentage of work can be as high as the CO considers appropriate for the project . (FAR 36.501 and 52.236-1)				
Do cost reimbursement and letter prime contracts contain a requirement for consent to subcontract in accordance with FAR 44.201-2?				
Do files contain the Independent Government Cost Estimate of each proposed contract and each modification over \$25,000? (FAR 36.203)				
Is the need for liquidated damages evaluated and do contract files contain a justification for rates used? (FAR 11.502 and 36.206)				
Are independent reviews of solicitations and contract awards obtained in accordance with agency procedures?				
Are legal reviews of solicitations and contract awards obtained in accordance with agency procedures? (DIAR 1401.7101-2)				
When sealed bidding procedures are used, are bid openings/contract awards being accomplished per FAR 14.4?				
When competitive proposals are used, are the procedures at FAR Part 15 being accomplished?				
Does the contracting activity ensure that construction contracts are not awarded to the firms who designed the projects, unless the approval of the HCA after discussion with the Director, PAM is obtained? (FAR 36.2 & DIAR 1436.209)				

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Were the bid bonds submitted by low bidders reviewed to verify conformance with FAR 28.101-4?				
Was the approval of the HCA obtained prior to awarding a construction contract to the designing A-E firm, or any of its affiliates, and were conflicts of interest addressed? (FAR 36.209 & 9.5)				
Were performance and payment bonds reviewed to verify compliance with FAR 28.2?				
Was a Statement of Acknowledgment (SF-1413) for each subcontract submitted to the CO within 14 days after award and 14 days after any subsequently awarded subcontract? (FAR 22.407(a) and 52.222-11)				
If the use of domestic construction materials was determined impracticable, was the determination approved by the Director, PAM? (FAR 25.203 & DIAR 1425.202)				
Are written notices of award sent to the Office of Federal Contract Compliance Programs within 10 days after contract award? (FAR 22.804-2(c))				
Are performance reports prepared and filed for contracts of \$500,000 or more and \$10,000 if terminated for default? (FAR 36.201)				
Are determinations to retain progress payments (cannot exceed 10 percent) for unsatisfactory performance justified and documented? (FAR 32.103 and 52.232-5)				
If the prime contract is over \$1 million and with a large business and if there are subcontracting possibilities, was a subcontracting plan submitted, approved, and made a part of the contract? (FAR 19.702)				
If there were underpayments under the Davis Bacon Act exceeding \$1,000,, were they reported to the Department of Labor, Wage and Hour Division, within 60 days? (FAR 22.406-8(d))				
Are copies of weekly payrolls and "Statement of Compliance" received from the contractor? (FAR 22.406-6)				
Are the CO and technical representative inspecting construction progress and responding to circumstances to avoid delay and cost escalation?				

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If a contract modification was necessary because of an error or deficiency in design provided under A/E contract, were excess costs recovered from the A/E? Has the CO documented reasons for the decision to recover or not to recover the costs from the firm? (FAR 36.608)				
Is there a tracking system in place for expeditiously authorizing, pricing, negotiating, and definitizing change orders? Is it being utilized? (FAR 43.204(b)(3))				
Do contracts define the criteria to be used in establishing equipment ownership and operating rates for the purpose of costing change orders and claims (e.g., Army Corps of Engineers Equipment Rate Schedules)?				
Are Releases of Claims obtained at contract completion? (FAR 52.232-5)				
Are files documented to show the results of final inspections and do they contain contract completion statements? (FAR 4.804-5)				